



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: 3617
Howard Sommerfeld) Examiner: McCarry Jr, Robert
Serial No.: 10/733,110) Attorney Docket: CRD 01145
Filed: December 11, 2003) Date: October 13, 2008

For: DRAFT GEAR ASSEMBLY

MAIL STOP AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NON-COMPLIANT AMENDMENT TRANSMITTAL

1. Transmitted herewith is an Amendment for this application.

STATUS

2. Applicant is
☐ a small entity
☒ other than a small entity.

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450.

Maureen Mastromonaco
(Type or print name of person mailing paper)

Date: October 13, 2008

Maureen Mastromonaco
(Signature of person mailing paper)

(Amendment Transmittal [9-19]--page 1 of 4)

EXTENSION OF TIME

NOTE: "Extension of Time In Patent Cases (Supplemental Amendments)—If a timely and complete response has been filed after a Non Final Office Action, an extension of time is not required to permit filing and/or entry of an additional amendment after expiration of the shortened statutory period.

If a timely response has been filed after a Final Office Action, an extension of time is required to permit filing and/or entry of a Notice of Appeal or filing and/or entry of an additional amendment after expiration of the shortened statutory period unless the timely filed response placed the application in condition for allowance. Of course, if a Notice of Appeal has been filed within the shortened statutory period, the period has ceased to run." Notice of December 10, 1985 (1061 O.G. 34.35).

NOTE: See 37 CFR 1.645 for extensions of time in interference proceedings and 37 CFR 1.550(c) for extensions of time in reexamination proceedings.

3. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply

(complete (a) or (b) as applicable)

- (a) ☐ Applicant petitions for an extension of time under 37 CFR 1.17(a) for the total number of months checked below:

	<u>Extension (months)</u>	<u>Fee for other than small entity</u>	<u>Fee for small entity</u>
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 460.00	\$230.00
<input type="checkbox"/>	three months	\$1,050.00	\$525.00

Fee _____

If an additional extension of time is required please consider this a petition therefor.

(check and complete the next item, if applicable)

- ☐ An extension for ____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 CFR 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		OTHER THAN A SMALL ENTITY		SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR		PRESENT EXTRA		RATE	ADDN. FEE	OR	ADDN. RATE FEE
TOTAL ♦	5	MINUS ♦♦	20	-	0	X50=	\$		x25= \$
INDEP. ♦	5	MINUS ♦♦♦	5	-	0	x210=	\$		x105= \$
[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						+370=	\$		+185= \$
						TOTAL	\$		TOTAL \$

ADDN. FEE \$__

- ♦ If the entry in Col. 1 is less than entry in Col. 2 write "0" in Col. 3.
 - ♦♦ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 - ♦♦♦ If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".
- The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

(complete (a) or (b) as applicable)

(a) [] No additional fee for claims is required.

OR

(b) [] Total additional fee for claims required \$__.

FEE PAYMENT

5. [] Attached is check no. ____ in the sum of \$____ to cover the Extension of Time Fee.

[] Payment by credit card. Form PTO-2038 is attached.

FEE DEFICIENCY

NOTE: If there is a fee deficiency and there is non authorization to charge an account, additional fees are necessary to cover the additional time consumed in making up the original deficiency. If the maximum, six-month period has expired before the deficiency is noted and corrected, the application is held abandoned. In those instances where authorization to charge is included, processing delays are encountered in returning the papers to the PTO Finance Branch in order to apply these charges prior to action on the cases. Authorization to charge the deposit account for any fee deficiency should be checked. See the Notice of April 7, 1986, 1065 O.G. 31-33.

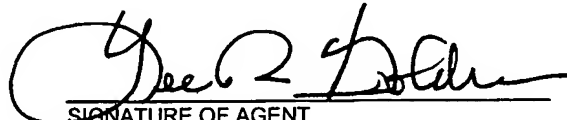
6. [] If any additional extension and/or fee is required, charge Account No.

_____.

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AND/OR

[] If any additional fee for claims is required, charge Account No. _____.


SIGNATURE OF AGENT

Lee R. Golden
Type or print name of Agent
Registration No.:31,362

JAMES RAY & ASSOCIATES
2640 PITCAIRN ROAD
MONROEVILLE, PA 15146

TELEPHONE: 412-380-0725
FACSIMILE: 412-380-0748



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:) Group Art Unit: 3617
)
Howard Sommerfeld) Examiner: Robert J. McCary, Jr.
)
Serial No: 10/733,110) Attorney Docket: CRD 04145
)
Filed: December 11, 2003) Date: October 13, 2008

For: Draft Gear Assembly

MAIL STOP NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

NON-COMPLIANT AMENDMENT

Sir:

Applicant is in receipt of a Non-Compliant Amendment from
the U.S. Patent and Trademark Office dated September 26, 2008.
Please amend the above-referenced application as follows: